



Entered on Docket  
June 18, 2010

Hon. Linda B. Riegle  
United States Bankruptcy Judge

LEWIS AND ROCA LLP

Robert M. Charles, Jr. (NV 6593)  
John Hinderaker (AZ 018024)  
Marvin Ruth (NV 10979)  
3993 Howard Hughes Parkway, Ste. 600  
Las Vegas, Nevada 89169-5996  
Telephone (702) 949-8320  
Facsimile (702) 949-8321  
Email: rcharles@lrlaw.com  
jhinderaker@lrlaw.com  
mruth@lrlaw.com

Attorneys for USACM Liquidating Trust

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

Case No. BK-S-06-10725-LBR

CHAPTER 11

Jointly Administered Under  
Case No. BK-S-06-10725 LBR

**Order Sustaining Fourth Omnibus  
Objection Of USACM Liquidating  
Trust To Proofs Of Claim Based In  
Part Upon Investment In The  
Gramercy Court Loan**

Hearing Date: June 15, 2010  
Hearing Time: 9:30 a.m.

The Court having considered the "Fourth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Part Upon Investment In The Gramercy Court Loan" [DE 8056] (the "Objection"); the Court having heard the Objection on June 15, 2010; appropriate notice of the Objection having been given; no response to the Objection having been filed; and good cause appearing:

Exhibit A

1           **IT IS ORDERED** that:

- 2           1.     The Objection [DE 8056] is sustained;
- 3           2.     The claims listed on **Exhibit A** attached are disallowed to the extent those
- 4     claims are based upon an investment in the Gramercy Court Loan for the reasons set forth
- 5     in the objection.
- 6           3.     The claims listed on **Exhibit A** are not affected by this order to the extent
- 7     they are based upon an investment in another loan.

8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9 **LEWIS AND ROCA LLP**

11 By/s/ Robert M. Charles, Jr. (# 6593)

12           Robert M. Charles, Jr.  
13           John Hinderaker (*pro hac vice*)  
13           3993 Howard Hughes Parkway, Ste. 600  
13           Las Vegas, Nevada 89169-5996  
14           Telephone: (702) 949-8320  
14           Facsimile: (702) 949-8321

15           *Attorneys for USACM Liquidating Trust*

16

17

18

19

20

21

22

23

24

25

26

1 CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021  
23 In accordance with Local Rule 9021, the undersigned certifies:  
4

- 5      The Court waived the requirements of approval under LR 9021.  
 6      This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I  
 7       have delivered a copy of this proposed order to all counsel who appeared at the  
 8       hearing, any unrepresented parties who appeared at the hearing, and each has  
 9       approved or disapproved the order, or failed to respond, as indicated below [list  
 10      each party and whether the party has approved, disapproved, or failed to  
 11       respond to the document.]  
 12      This is a chapter 11 case, and I have delivered a copy of this proposed order to  
 13       all counsel who appeared at the hearing, any unrepresented parties who  
 14       appeared at the hearing, and each has approved or disapproved the order, or  
 15       failed to respond, as indicated below.  
 16      I certify that I have served a copy of this order with the motion, and no parties  
 17       appeared or filed written objections.

13 U.S. Trustee:	
14 <input type="checkbox"/> approved the form of this order	14 <input type="checkbox"/> disapproved the form of this order
15 <input checked="" type="checkbox"/> waived the right to review the 16       order and/or	15 <input type="checkbox"/> failed to respond to the document
17 Other Party:	
18 <input type="checkbox"/> approved the form of this order	18 <input type="checkbox"/> disapproved the form of this order
19 <input type="checkbox"/> waived the right to review the order 20       and/or	19 <input type="checkbox"/> failed to respond to the document

21 Submitted by:  
22 LEWIS AND ROCA LLP23 By: /s/ Robert M. Charles, Jr.  
24 Attorneys for USACM Liquidating Trust25 # # #  
26

## Exhibit A

Claim	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Gramercy Court Condos Loan
10725-01915	HauslerJrLivingTrusrDtd1/3/92, EdwinL	C/OEdwinLHauslerTtee 4617ConstitutionAveNe Albuquerque,NM87110	486,748.60	50,000.00
10725-02292	HelmsHomesLlc	TerryHelms 809UplandBlvd LasVegas,NV89107-3719	12,697,934.44	100,000.00
10725-01573	Hodes,GailLivingTrustDtd9/10/03	C/OGailRHodesTrustee 410UpperLakeRoad LakeSherwood,CA91361  Gail Hodes Living Trust dated 9/10/03 c/o Gail R. Hodes Trustee 16872 Baruna Ln Huntington Beach, Ca 92649	129,522.00	50,000.00
10725-01257	HoughtonDentalCorpPsp	FboGeraldineHoughton 2871PintaPerris,CA92571	400,000.00	100,000.00
10725-02122	HuffmanFamilyTrustDated5/28/98	HilaryA&CynthiaLHuffmanTees 140GazelleRd Reno,NV89511	202,832.46	50,000.00
10725-02034	JeanHMurraySeparatePropertyTrDt d9/12/02	C/OJeanHMurrayTrustee 865ColomaDr CarsonCity,NV89705-7204	200,016.26	50,000.00
10725-01183	KarenPetersenTyndallTrustDtd3/9/94	C/OKarenPetersenTyndallTtee 1012GreystokeAcresSt LasVegas,NV89145-8659	1,115,915.59	228,225.00
10725-01997	KmTrust	C/OAimeeEKearnsTrustee 5886NBonitaVistaSt LasVegas,NV89149-3911	1,535,080.92	122,000.00
10725-00796	KptIrrevocableTrustDtd7/16/99	C/OKarenPetersenTyndallTtee 1012GreystokeAcresSt LasVegas,NV89145-8659	202,866.38	101,433.19
10725-01194	KPTIrrevocableTrustDtd7/16/99	C/OKarenPetersenTyndallTtee 1012GreystokeAcresSt LasVegas,NV89145-8659	202,866.38	101,433.19